

Attorneys for Defendants
COUNTY OF SAN BENITO, MIKE MULL,
VICTOR CASADA

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Defendants.

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING ISSUE OF POSSIBLE NEW
CLAIM BY PLAINTIFF NANCY MARTINEZ**

WHEREAS His Honor asked the parties to meet and confer on how to address this

1 issue in light of the pending case schedule and the Court's reluctance to amend it once
2 again;

3 THE PARTIES HEREBY STIPULATE, THROUGH THEIR COUNSEL OF RECORD
4 HEREIN:

5 1. Plaintiff NANCY MARTINEZ shall decide by January 15, 2018 whether she
6 intends to litigate any claims relating to her April 29, 2017 incident in connection with the
7 present litigation.

8 2. Should she elect to litigate the new claims with this case, she must file an
9 proposed amended complaint by January 15, 2018. If she does so, the parties shall
10 immediately meet and confer on an expedited discovery plan that contemplates the new
11 claims, but does not affect the case schedule as ordered by the Court in the *Amended*
12 *Scheduling Order and Order Dismissing Summary Judgment as Moot* (Docket 71) with the
13 following exceptions: the Court will consider a reasonable extension on the fact discovery
14 cut-off, and expert disclosure deadlines to the extent those implicate the new claims only.

15 JOHN KEVIN CROWLEY, ESQ.

16
17 DATED /s/ Dec. 15, 2017

/s/ John Kevin Crowley, Esq.
JOHN KEVIN CROWLEY, ESQ.
Attorneys for Plaintiffs

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19 Dated: /s/. Dec. 15, 2017

RANKIN | STOCK | HEABERLIN

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21 By: /s/ Jon A. Heaberlin
JON A. HEABERLIN
Attorneys for Defendants
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ORDER

Plaintiff NANCY MARTINEZ shall decide by January 15, 2018 whether she intends to litigate any claims relating to her April 29, 2017 incident in connection with the present litigation.

Should she elect to litigate the new claims with this case, she must file ~~an proposed~~ a stipulation or motion for leave to file an amended complaint by January 15, 2018. If she does so, the parties shall immediately meet and confer on an expedited discovery plan that contemplates the new claims, but does not affect the case schedule as ordered by the Court in the *Amended Scheduling Order and Order Dismissing Summary Judgment as Moot* (Docket 71) with the following exceptions: the Court will consider a reasonable extension on the fact discovery cut-off, and expert disclosure deadlines to the extent those implicate the new claims only.

IT IS SO ORDERED.

Dated: December 19, 2017


JUDGE OF THE U.S. DISTRICT COURT